

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)

14113-00040-US

In re Application of: Paul Wallace et al.

Application No.: 10/582,459-Conf. #1128

Filed: May 16, 2007

For: OLIGOMERS AND POLYMERS

The owner*, Merck Patent GmbH, of 100
percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of
any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any
patent granted on pending **reference** Application Number 10/568,659, filed on 02/15/2006,
as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may
be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner
hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it
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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that
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reference application, "as the term of any patent granted on said **reference** application may be shortened by any terminal
disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that: any such patent: granted
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 35,646

/Ashley I. Pezzner/
Signature

November 16, 2009
Date

Ashley I. Pezzner
Typed or printed name

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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